Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIV] Trivandrum, Monday, 17th September 1979 / 26th Bhadra 1901 [No. 656

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6606/LA4B/79. *Dated, Trivandrum, 17th September,* 1979.

The Kerala Shops & Commercial Establishments (Amendment) Bill, 1979 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1979.

33/3377/MC.

Fifth Kerala Legislative Assembly

Bill No. 117

THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS (AMENDMENT) BILL, 1979

A

BILL

further to amend the Kerala Shops and Commercial Establishments Act, 1960.

Preamble.—WHEREAS it is expedient further to amend the Kerala Shops and Commercial Establishments Act, 1960 for the purpose hereinafter appearing;

BE it enacted in the Thirtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Shops and Commercial Establishments (Amendment) Act, 1979.

(2) It shall come into force at once.

2. *Amendment of section* 18.—In section 18 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), after sub-section (4), the following sub-section shall be inserted, namely:—

"(4A). In directing the payment of compensation under sub-section (3) or sub-section (4), the appellate authority may include as part of the compensation the wages of the employee for the period he was kept out of employment.".

STATEMENT OF OBJECTS AND REASONS

Sub-section (2) of section 18 of the Kerala Shops and Commercial Establishments Act, 1960, provides that an employee whose services are dispensed with may appeal to such authority and within such time as may be prescribed. Sub-section (3) of that section provides that the appellate authority may, after giving notice in the prescribed manner to the employer and the employee, dismiss the appeal or direct the reinstatement of the employee with or without wages for the period he was kept out of employment or direct payment of compensation without reinstatement or grant such other

relief as it deems fit in the circumstances of the case. According to sub-section (4), in directing the reinstatement of an employee the appellate authority shall also direct the payment of such amount of compensation as may be specified by him in case the employer fails to reinstate the employee in accordance with the directions.

2. In the judgment in W. A. No. 79 of 1975, the Kerala High Court drew the attention of the authorities to the need for a suitable amendment to sub-section (3) of section 18 of the said Act so as to clarify the position that even where only compensation is granted, back wages may still be included as an element in the compensation. It is, therefore, proposed to amend section 18 to make it clear that in directing payment of compensation under sub-section (3) the appellate authority may include as part of the compensation the wages of the employee for the period he was kept out of employment. It is also proposed to make a similar provision in respect of the compensation awarded under sub-section (4) of section 18.

3. The Bill is intended to achieve the above objects.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

M. K. RAGHAVAN

©
Government of Kerala
1979

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIV] Trivandrum, Monday, 17th September 1979 / 26th Bhadra 1901 [No. 657

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6607/LA4/79. *Dated, Trivandrum, 17th September,* 1979.

The University Laws (Second Amendment) Bill, 1979 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1979.

33/3379/MC

THE UNIVERSITY LAWS (SECOND AMENDMENT) BILL, 1979

A

BILL

further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975.

Preamble.—WHEREAS it is expedient further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975 for the purposes hereinafter appearing;

BE it enacted in the Thirtieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the University Laws (Second Amendment) Act, 1979.

(2) Section 2 shall be deemed to have come into force on the 1st day of February, 1976 and the remaining provisions of this Act shall come into force at once.

2. *Amendment of Act 30 of 1971.*—In section 16 of the Cochin University Act, 1971 (30 of 1971), after sub-section (3A), the following sub-section shall be inserted, namely:—

"(3B) Notwithstanding anything contained in this Act or in the Statutes, no person elected under item (2) under the heading "Elected Members" in section 15 shall cease to be a member of the Senate merely on the ground that he has ceased to be employed or normally resident within the territorial limits of the University.".

3. *Amendment of Act 17 of 1974.*—In section 18 of the Kerala University Act, 1974 (17 of 1974), after sub-section (3A), the following sub-section shall be inserted, namely:—

"(3B) Notwithstanding anything contained in this Act or in the Statutes, no person elected under item (2) under the heading "Elected Members" in section 17 shall cease to be a member of the Senate merely on the ground that he has ceased to be employed or normally resident within the territorial limits of the University.".

4. *Amendment of Act 5 of 1975.*—In section 18 of the Calicut University Act, 1975 (5 of 1975), after sub-section (3A), the following sub-section shall be inserted, namely:—

"(3B) Notwithstanding anything contained in this Act or in the Statutes, no person elected under item (2) under the heading "Elected Members"

GPT. 2/3378/MC.

in section 17 shall cease to be a member of the Senate merely on the ground that he has ceased to be employed or normally resident within the territorial limits of the University.".

STATEMENT OF OBJECTS AND REASONS

According to the first proviso to sub-section (2) of section 16 of the Cochin University Act, 1971 (30 of 1971), no member nominated or elected to the Senate in his capacity as a member of a particular body or as the holder of a particular office shall hold office for a longer period than three months after he has ceased to be such member or holder of such office unless in the meanwhile he again becomes a member of that body or holder of that office. The first proviso to sub-section (3) of section 18 of the Kerala University Act, 1974 (17 of 1974) and the first proviso to sub-section (3) of section 18 of the Calicut University Act, 1975 (5 of 1975) are similar to the first proviso to sub-section (2) of section 16 of the Cochin University Act, 1971.

2. According to Statute 1 of the First Statutes on Register of Graduates of the Cochin University, Statute 3 of the Kerala University (Registration of Graduates) First Statutes, 1975 and Statute 3 of the Calicut University (Registration of Graduates) First Statutes, 1975, a person whose name is entered in the register of registered graduates is eligible to retain his name in the register only so long as he is either employed or normally residing in the territorial jurisdiction of the University. A member elected to the Senate of a University from the registered graduates constituency and is employed in the territorial limits of the University will cease to be a registered graduate of the University on his transfer to a place outside the territorial limits of the University and consequent shifting of residence. In such an event he will cease to be a member of the Senate by virtue of the provisions mentioned above. The continuance of membership of such a person in the Senate therefore depends on the will and pleasure of the employer. A person in the service of the Government may have to be transferred to any part of the State in the exisgencies of service. It would not be fair that by the transfer to any place outside the territirial limits of the Universiy a person loses his membership of the Senate or the Syndicate. It is, therefore, considered necessary to amend the said Acts to provide that a person elected to the Senate from the registered graduates constituency shall not lose his membership merely on the ground that he has ceased to be employed or mormally resident within the territorial limits of the University.

3. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

C. H. MOHAMMED KOYA.

©
Government of Kerala
1979

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIV] Trivandrum, Monday 17th September 1979 / 26th Bhadra 1901 (Saka) [No. 658

NOTICE

No. C4-65825/79. *13th September* 1979.

Whereas I am satisfied that the public place mentioned in Schedule I below is required in connection with the launching of the Equatorial Sounding Rockets from the Launching Station at Pallithura in the Attipra Village of Trivandrum Taluk by the Space Research Division of the Department of Atomic Energy to the Government of India.

I, T. A. S. Iyer, Inspector General of Police in exercise of the powers conferred upon as under section 24 of the Kerala Police Act, 1960 (Act V of 1961) hereby reserve temporarily the public place mentioned in Schedule II and prohibit persons from entering the area so reserved save under conditions as may be prescribed by me.

Schedule I

Place of Launching

The Rocket will be fired from the Launcher on a Pad at Pallithura near Trivandrum on the west coast of India.

Firing Schedule

Date	*Danger Time (IST)*	*Rocket Type*	*Pay-load*
19-9-1979 to 20-9-1979	1900—2230 Hrs.	M—100 B	Met + DC Probe

33/3382/G.

Launcher Co-ordinates

Latitude — 8° 32′ 34″ N
Longitude — 76° 51′ 32″ E

Launcher Settings

Effective azimuth—235°
Effective elevation—83°

Schedule II

Danger Zones

1. A Sector of radius 5 NM from launcher between Azhimuth angles 190 and 300 deg.
2. A sector radii 15 NM and 50 NM from launcher between Azimuth angles 220 and 260 deg. (M-100 B).

All types of Aircraft, Shipping Boats etc., especially Fishing Boats of all description are warned to keep clear the Danger Zones mentioned above.

Office of the Inspector General
of Police,
Kerala State,
Trivandrum-10.

T. A. S. Iyer,
Inspector General of Police.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1979.